

U.S. Department of Justice



*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

September 29, 2022

MEMO ENDORSED

By ECF

The Honorable Andrew E. Krause
United States District Court
300 Quarropas Street
White Plains, New York 10601
KrauseNYSDChambers@nysd.uscourts.gov

USDC SDNY
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Re: *Congregation of Ridnik v. Village of Airmont*, No. 18 Civ. 11533 (NSR) (AEK)
United States v. Village of Airmont, No. 20 Civ. 10121 (NSR) (AEK)

Dear Judge Krause:

I write respectfully on behalf of the parties in the above-referenced matters to apprise the Court of recent and ongoing progress in settlement discussions aimed at resolving both cases. Following a productive, in-person meeting of all parties on September 22, 2022, the *Ridnik* plaintiffs and the Village of Airmont's insurance carrier have committed to endeavor to narrow any remaining gap and reach an agreement by October 21, 2022. By that same date, the Village's planners have agreed to submit for the Government's review a proposed draft of a local law to implement agreed-upon changes to the Airmont zoning code. The Government, the Village, and the *Ridnik* plaintiffs respectfully request that Your Honor convene a short conference call as soon as practicable after October 21 so that the parties may provide an update to the Court as to anticipated next steps in the litigations or the resolutions of these cases.

We thank the Court for its consideration of this matter and its continued assistance.

In light of the parties' representation that they have committed to reach a settlement agreement by October 21, 2022, this Court deems the pending motions to dismiss in both cases to be DENIED without prejudice as moot. Should the parties fail to reach a settlement agreement by October 21, 2022, the parties are directed to notify this Court and, in such event, the motions to dismiss will be deemed resubmitted. The Clerk of Court is kindly directed to terminate the motions at ECF 65 in 7:18-cv-11533 and ECF 54 in 7:20-cv-10121.

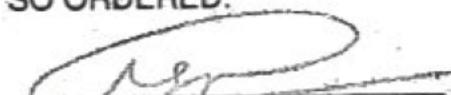
DATED: September 30, 2022
White Plains, NY

Respectfully,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Stephen Cha-Kim
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SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE